

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

LEROY C. RODRIGUEZ,

Plaintiff

Case No. 3:19-cv-00405-MMD-CLB

ORDER

v.

SUSAN JACKSON, *et al.*,

Defendants

Plaintiff previously filed an application to proceed *in forma pauperis* and submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF Nos. 1, 1-1.) The Court has not yet screened the Complaint.

Plaintiff now files a motion for voluntary dismissal. (ECF No. 3.) Under Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The Court grants Plaintiff’s motion to voluntarily dismiss this action because no responsive pleading has been filed in this case. As such, the Court dismisses this action without prejudice.

It is therefore ordered that the motion for voluntary dismissal (ECF No. 3) is granted. Plaintiff’s application to proceed *in forma pauperis* (ECF No. 1) is denied as moot.

It is further ordered that this action is dismissed in its entirety without prejudice.

It is further ordered that the Clerk of the Court close this case.

DATED THIS 11th day of May 2020.


MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE